

# TRAUB LIEBERMAN

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March 21, 2024

## **VIA ECF**

Hon. Denise L. Cote  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1910  
New York, New York 10007

Re: ***Zunzurovski v. Fisher, et al.***  
1:23-cv-10881 (DLC)

Dear Judge Cote:

We represent the defendants in this matter. Although the Complaint herein has been dismissed, and the remaining issues before Your Honor do not involve my clients, we are constrained to respond to Mr. Blackburn's submission to the Court dated March 19, 2024.

We note that nothing in Mr. Blackburn's submission refutes the fact that I first advised him on December 14, 2023, before he filed the Complaint herein, that this Court did not have diversity jurisdiction because Liane Fisher is a resident of New Jersey. Moreover, Mr. Blackburn's letter to Your Honor does not accurately describe my statements to the Court on March 5, 2024. In response to Mr. Blackburn's position that his client did not know that Liane Fisher resided in New Jersey, I advised the Court that such statement was implausible because Ms. Fisher lives in Glen Ridge and Mr. Zunzurovski lives in Tenaflly, which was a topic that was frequently discussed between them during the course of her representation of him in his arbitration against his former employer. I stated that they both had to travel from their respective towns on 14 separate occasions for hearings before the arbitrator in Long Island, but I certainly did not represent that they drove together in the same vehicle. Moreover, the fact that they lived in adjacent towns, and have children that play on town sports teams was a frequent topic of discussion, because the towns are sports rivals. I certainly did not represent that the children knew each other, or that Ms. Fisher's children were on the same teams as Mr. Zunzurovski's children. Finally, it was always our position with Mr. Blackburn that we would meet with him before a JAMS mediator with New York federal bench experience, because (as discussed on March 5th) we were trying to determine the nature of any claim he was trying to make under New York law, and the underlying matter arose from his wage and hour claim against his former employer.

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While we are certain that the transcript of the hearing will accurately reflect the record, we nevertheless feel that it is important to respond to Mr. Blackburn's misrepresentation of the facts. This is not dissimilar to Mr. Blackburn's submission to Your Honor of a copy of his purported application for admission to the SDNY with a date of October 27, 2020, bearing a signature by a Notary whose commission did not incept until a year after such date.

Moreover, we are constrained to address the contents of the affidavit of Mr. Zunzurovski. We obviously contest his statement that Ms. Fisher advised him that she resides in New York, and his position that he was unaware of the fact that she lived in the nearby town of Glen Ridge. Needless to say, we also dispute the salacious and gratuitous assertions of misconduct, although they are not relevant to the remaining issues before Your Honor. However, it should also be noted that, aside from the comments that are obviously intended to embarrass my clients, the entirety of any potential civil claim continues to be the purported failure to timely assert "contribution claims" in the underlying matter. As has been explained to Mr. Blackburn, any legitimate contribution or indemnity claims would not be time-barred until six years after the conclusion of the underlying matter, which occurred in 2021.

Respectfully submitted,

*Lisa L. Shrewsberry*

Lisa L. Shrewsberry

cc: Tyrone Blackburn, Esq. (via ECF)